

PUBLIC VERSION

# EXHIBIT A

PUBLIC VERSION



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/007,914	02/01/2006	6329161	518852800300	5933
23552	7590	02/28/2006	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			ART UNIT      PAPER NUMBER	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Peng Chen and Michael G. Smith  
Morrison & Foerster LLP  
12531 High Bluff Drive, Suite 100  
San Diego, CA 92130

## EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/007,914.

PATENT NO. 6329161.

ART UNIT 3991.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

## PUBLIC VERSION

<b>Order Granting / Denying Request For Ex Parte Reexamination</b>	<b>Control No.</b>	<b>Patent Under Reexamination</b>	
	90/007,914	6329161	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bennett Celsa	3991	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

The request for *ex parte* reexamination filed 01 February 2006 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

Attachments: a) ☒ PTO-892,      b) ☐ PTO-1449,      c) ☐ Other: \_\_\_\_\_

1. ☒ The request for *ex parte* reexamination is GRANTED.

RESPONSE TIMES ARE SET AS FOLLOWS:

For Patent Owner's Statement (Optional): TWO MONTHS from the mailing date of this communication (37 CFR 1.530 (b)). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

For Requester's Reply (optional): TWO MONTHS from the date of service of any timely filed Patent Owner's Statement (37 CFR 1.535). **NO EXTENSION OF THIS TIME PERIOD IS PERMITTED.** If Patent Owner does not file a timely statement under 37 CFR 1.530(b), then no reply by requester is permitted.

2. ☐ The request for *ex parte* reexamination is DENIED.

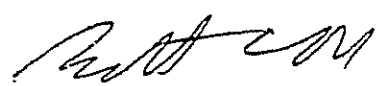
This decision is not appealable (35 U.S.C. 303(c)). Requester may seek review by petition to the Commissioner under 37 CFR 1.181 within ONE MONTH from the mailing date of this communication (37 CFR 1.515(c)). **EXTENSION OF TIME TO FILE SUCH A PETITION UNDER 37 CFR 1.181 ARE AVAILABLE ONLY BY PETITION TO SUSPEND OR WAIVE THE REGULATIONS UNDER 37 CFR 1.183.**

In due course, a refund under 37 CFR 1.26 (c) will be made to requester:

a) ☐ by Treasury check or,

b) ☐ by credit to Deposit Account No. \_\_\_\_\_, or

c) ☐ by credit to a credit card account, unless otherwise notified (35 U.S.C. 303(c)).

  
 Bennett Celsa  
 Primary Examiner  
 Art Unit: 3991

cc:Requester ( if third party requester )

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**DETAILED ACTION: *Reexamination: Granting of Request***

**Procedural Posture:**

The Third Party Request (dated 2/1/06) for *ex parte* reexamination of claims 1-48 of United States Patent Number 6,329,161 (Heller et al.) is acknowledged.

***Decision Granting the Order***

A substantial new question of patentability affecting claims 1-48 of United States Patent Number 6,329,161 (Heller et al.) is raised by the request for reexamination.

**Information Disclosure Statement**

Enclosed please find a PTO-892 listing the eight documents cited on pages 2 and 3 of the request. In the future submitted references must be provided on a PTO-1449 form for Examiner signature.

**Ongoing Duty To Disclose:**

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,329,161 throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286

**Substantial New Question of Patentability Raised By The Request**

For "a substantial new question of patentability" to be present, it is only necessary that:

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- A. The prior art patents and/or printed publications raise a substantial question of patentability regarding at least one claim i.e. the prior art teaching is such that there is a substantial likelihood that a reasonable examiner would consider the teaching to be important in deciding whether or not the claim is patentable; and it is not necessary that the prior art establish a prima facie case of unpatentability and;
- B. The same question of patentability as to the claim has not been decided by the Office in a previous examination or pending reexamination of the patent or in a final holding of invalidity by the Federal Courts in a decision on the merits involving the claim. See MPEP 2242.

For a reexamination that was ordered on or after November 2, 2002 (the date of enactment of Public Law 107-273; see Section 13105, of the Patent and Trademark Office Authorization Act of 2002), reliance *solely* on old art (as the basis for a rejection) does not necessarily preclude the existence of a substantial new question of patentability (SNQ) that is based exclusively on that old art. Determinations on whether a SNQ exists in such an instance shall be based upon a fact-specific inquiry done on a case-by-case basis. For example, a SNQ may be based solely on old art where the old art is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination(s), in view of a material new argument or interpretation presented in the request. MPEP 2258.01.

If a substantial new question of patentability is found as to one claim, all claims will be reexamined during the ex parte reexamination process. See MPEP 2216.

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***Th 6,329,161 (Heller et al.) Invention***

The Heller invention is drawn to a small diameter flexible electrode designed for subcutaneous *in vivo* amperometric glucose monitoring, wherein the electrode is preferably three or four-layered, with the layers serially deposited within a recess upon the tip of a polyamide insulated gold wire with a first glucose concentration-to-current transducing layer overcoated with a second electrically insulating and glucose flux limiting layer to which is applied an optional immobilized interference-eliminating horseradish peroxidase based film third layer; and an outer fourth biocompatible layer. See '161 abstract.

The independent claims are drawn to:

- i. A flexible analyte sensor: claim 1 and claims 2-17 dependent thereon.
- ii. A flexible glucose sensor: claim 34 and claims 35-48 dependent thereon.
- iii. A glucose measurement system: claim 18 and claims 19-24 dependent thereon.
- iv. An introduction system for a glucose sensor: claim 25 and claims 26-28 dependent thereon.
- v. A method of measuring animal glucose concentration: claim 29 and claim 30 dependent thereon.
- vi. A method for inserting a flexible glucose sensor: claim 31 and claims 32-33 dependent thereon.

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***Documents Cited By The Requester:***

1. **M. Sakakida et al.**, "Ferrocene-mediated Needle-type Glucose Sensor Covered with Newly Designed Biocompatible Membrane", *Sensors and Actuators B*, Vol. 13-14, pages 319-322 (May/June 1993).
2. **M. Schichiri et al.**, "Needle-type Glucose Sensor for Wearable Artificial Endocrine Pancreas", Chap. 15 in *IMPLANTABLE SENSORS FOR CLOSED-LOOP PROSTHETIC SYSTEMS* (W.H. Ko. Ed., Futura Publishing Co. Mount Kisco, NY 1985)
3. **G. S. Wilson et al.**, "Progress Toward the Development of an Implantable Glucose Sensor *Clinical Chemistry*", Vol. 38(9) pages 1613-1617 (1992).
4. **U. S. Pat. No. 5,165,407** to Wilson et al., (filed April 9, 1991: issued Nov. 24, 1992).
5. **U.S. Pat. No. 5,322,063** to Allen et al. (filed Oct. 4, 1991 : issued June 21, 1994).
6. **Schichiri et al.**, "Membrane Design for Extending the Long Life of an Implantable Glucose Sensor", *Diab. Nutr. Metab.*, Vol. 2(4) pages 309-313 (1989).
7. **U.S. Pat. No. 5,411,647** to Johnson et al. (effectively filed Nov. 23, 1992: issued May 2, 1995).
8. **U. S. Pat. No. 4,986,271** to Wilkins et al. (filed July 19, 1989 : issued Jan. 22, 1991).

**Discussion of the Cited Documents and the Raising of a SNQ**

**1. M. Sakakida et al. :**

The third party discusses the applicability of the Sakakida reference to claims 1-17, 30 and 34-48 of the '161 patent on pages 8-9, 13-15, 19-31, 39-63, 97-103 and 107-113 of the request.



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Although the Sakakida reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Sakakida reference is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

The Sakakida reference discloses a ferrocene-mediated needle-type glucose sensor covered with a polyurethane layer and a biocompatible polyvinyl alcohol (PVA) membrane which was implanted into an animal and used to measure glucose levels *in vivo*. The glucose-oxidase containing sensing layer is in direct physical contact with the working electrode.

The Sakakida prior art teaching is such that there is a substantial likelihood that a reasonable examiner would consider this teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**2. M. Schichiri et al. (1985)**

The third party discusses the applicability of the Schichiri article to claims 1 of the '161 patent in combination with the Sakakida reference on pages 41-45 of the request.

The newly cited Schichiri reference discloses a "flexible" glucose oxidase based needle-type glucose sensor designed for transcutaneous implantation (see Schichiri Fig. 1 on page 199). The end of the platinum wire in the Schichiri sensor was "sealed into a soft glass tube" (Schichiri page 198). The tip of the reference glucose sensor has a polyurethane layer as its outermost layer. (Id. at pages 198-199). The Schichiri

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glucose sensor is "flexible" since it is a very thin device (e.g. 0.4-1mm) with a soft glass body and a polyurethane tip of 0.4 mm diameter.

The Schichiri prior art teaching taken alone, or in combination with the Sakakida reference, is such that there is a substantial likelihood that a reasonable examiner would consider the Schichiri reference teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**3. G. S. Wilson et al. (the Wilson article)**

The third party discusses the applicability of the Wilson patent reference to claims 18-20, 22, 24-29, 31-33 of the '161 patent on pages 11-15, 64, 74, 77-90, 93-97, 103-107 of the request.

Although the Wilson reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Wilson reference is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

The Wilson article discloses a needle-type glucose sensor containing glucose oxidase in physical contact with the platinum-iridium electrode wherein the glucose sensor is operatively connected to a signal monitoring device. The reference utilizes a stainless steel catheter (i.e. an introducer) for introducing its sensor to a subject and the removal of the catheter after sensor implantation. The reference teaches that that following implantation it is necessary to wait a period of time for the sensor to stabilize prior to utilizing the sensor output for measuring glucose levels.

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The Wilson article teaching is such that there is a substantial likelihood that a reasonable examiner would consider this teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**4. U. S. Pat. No. 5,165,407 (the Wilson patent)**

The third party discusses the applicability of the Wilson patent reference to claims 18-20, 22, 24-29 and 31-41, 43 and 45-48 of the '161 patent on request pages 11-15, 39-41, 49-51, 64, 77-90, 93-97, 107-113.

Although the Wilson patent reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Wilson patent reference is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

The Wilson patent discloses a needle-type glucose sensor containing glucose oxidase in physical contact with the platinum-iridium electrode wherein the glucose sensor is operatively connected to a signal monitoring device. The reference utilizes a stainless steel catheter (i.e. an introducer) for introducing its sensor to a subject and the removal of the catheter after sensor implantation. The reference teaches that that following implantation it is necessary to wait a period of time for the sensor to stabilize prior to utilizing the sensor output for measuring glucose levels. Additionally, the Wilson patent reference teaches a flexible glucose sensor with an insertable portion of less

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than about 0.20 mm in diameter (compare to '161 patent claim 34 requiring insertion sensor portion having a width of less than about 0.29 mm).

It is noteworthy that the Wilson patented device uses cellulose acetate or Nafion as the first polymeric layer which provides size selective and/or charge selective discrimination to reduce interference and improve sensor selectivity as compared to other prior art devices (e.g. Sakakida) which uses cellulose diacetate as a first polymeric layer. .

The Wilson patent prior art device is such that there is a substantial likelihood that a reasonable examiner would consider this teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**5. U.S. Pat. No. 5,322,063 (Allen)**

The third party discusses the applicability of the Allen patent reference to claim 30 of the '161 patent on page 14 of the request.

Although the Allen patent reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Allen patent reference is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

The Allen patent reference discloses glucose oxidase based sensors comprising an outer polyurethane membrane which slows glucose influx into the sensor by approximately 4,000 fold.

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The Allen prior art teaching taken alone, or combined with the Sakakida reference teaching, is such that there is a substantial likelihood that a reasonable examiner would consider the Allen reference teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**6. Schichiri et al., (1989)**

The third party discusses the applicability of this reference in combination with Sakakida to claims 10 and 42 of the '161 patent on pages 55-56 and 112-113 of the request.

The newly cited Schichiri (1989) reference discloses a biocompatible layer utilizing polyethylene oxide (PEO) outer layer due to its superior strength in comparison to other materials.

The Schichiri prior art teaching taken alone, or combined with the Sakakida reference teaching, is such that there is a substantial likelihood that a reasonable examiner would consider the Schichiri teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**7. U.S. Pat. No. 5,411,647 (Johnson)**

The third party discusses the applicability of the Johnson reference to claims 18-22, 24, 29 and 42 of the '161 patent on pages 10, 12-13, 55-56, 64-77, 90-93 and 112-113 of the request.

Although the Johnson patent reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Johnson patent reference is being

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presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

Johnson discloses a subcutaneous glucose sensor comprising polyurethane connected to a display device wherein the sensor was implanted into a healthy rat which was monitored. A glucose measurement was conducted following a ten minute period permitting sensor signal stabilization. Additionally, the Johnson reference teaches that its implantable glucose sensor comprises a polyethylene oxide outer layer that reduces sensor settling time so that it can be used quicker following implantation.

The Johnson prior art teaching is such that there is a substantial likelihood that a reasonable examiner would consider this teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

**8. U. S. Pat. No. 4,986,271 (Wilkins)**

The third party discusses the applicability of the Wilkins reference to claims 1-3 of the '161 patent on pages 9-10, 31-38 of the request.

Although the Wilkins reference was of record in the '161 patent application it was not discussed by either the Examiner or Applicant during examination of the application. In the present instance the Wilkins reference is being presented/viewed in a new light, or in a different way, as compared with its use in the earlier concluded examination, in view of a material new argument or interpretation presented in the request.

Wilkins discloses a sensor comprising a glucose oxidase sensing layer immobilized on a conducting support in contact with a platinum working electrode in

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which the sensing layer is recessed into a tube or sleeve of the electrode similar to the '161 patented device. The open end of the electrode is covered by a glucose selectable permeable membrane.

The Wilkins prior art teaching taken alone, or in combination with the Sakakida reference teaching, is such that there is a substantial likelihood that a reasonable examiner would consider the Wilkins teaching to be important in deciding whether or not one or more claims of the '161 patent are patentable.

***Conclusion***

In view of the above, the request for reexamination is GRANTED. Claims 1-48 of United States Patent Number 6,329,161 (Heller et al.).

***Extensions of Time***

Extensions of time under 37 CFR 1.136 (a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to an applicant and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that ex parte reexamination proceedings "will be concluded with special dispatch" (37 CFR 1.555(a) ). Extensions of time in ex parte reexamination proceedings are provided for in 37 CFR 1.550(c).

***Service on the Other Party (3<sup>rd</sup> Party Request)***

After the filing of a request for reexamination by a 3<sup>rd</sup> party requester, any document filed by either the patent owner or the third party requester must be served on the other party (or parties where two or more third party requester proceedings are

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merged) in the reexamination proceeding in the manner provided in 37 CFR 1.248. See 37 CFR 1.550 (f).

***Patent Owner Amendment***

Patent owner is notified that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR 1.530(d)-(j), must be formally presented pursuant to 37 CFR 1.52(a) and (b), and must contain any fees required by 37 CFR 1.20(c).

***Future Correspondences***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bennett Celsa whose telephone number is 571-272-0807. The examiner can normally be reached on M-F from 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached at 571-272-1535.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

All correspondence relating to this ex parte reexamination proceeding should be directed:



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Application/Control Number: 90/007,914  
Art Unit: 3991

Page 14

By Mail to: Mail Stop ex parte Reexam  
Central Reexamination Unit  
Office of Patent Legal Administration  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900  
Central Reexamination Unit

By hand: Customer Service Window  
Randolph Building  
401 Dulany St.  
Alexandria, VA 22314

Bennett Celsa  
Primary Examiner  
Art Unit 3991

Conferees:



PUBLIC VERSION

<b>Notice of References Cited</b>	Application/Control No. 90/007,914	Applicant(s)/Patent Under Reexamination 6329161	
	Examiner Bennett Celsa	Art Unit 3991	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-4,986,271	01-1991	Wilkins, Ebtisam S.	600/347
*	B	US-5,165,407	11-1992	Wilson et al.	600/345
*	C	US-5,322,063	06-1994	Allen et al.	600/347
*	D	US-5,411,647	05-1995	Johnson et al.	205/777.5
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)			
*	U	M. Sakakida et al., "Ferrocene-mediated Needle-type Glucose Sensor Covered with Newly Designed Biocompatible Membrane", Sensors and Actuators B, Vol. 13-14, pages 319-322 (May/June 1993).			
*	V	M. Schichiri et al., "Needle-type Glucose Sensor for Wearable Artificial Endocrine Pancreas", Chap. 15 in IMPLANTABLE SENSORS FOR CLOSED-LOOP PROSTHETIC SYSTEMS (W.H. Ko. Ed., Futura Publishing Co. Mount Kisco, NY 1985)			
*	W	G. S. Wilson et al., "Progress Toward the Development of an Implantable Glucose Sensor Clinical Chemistry", Vol. 38(9) pages 1613-1617 (1992).			
*	X	Schichiri et al., "Membrane Design for Extending the Long Life of an Implantable Glucose Sensor", Diab. Nutr. Metab., Vol. 2(4) pages 309-313 (1989).			

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

PUBLIC VERSION

# EXHIBIT B

PUBLIC VERSION



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
90/007,913	02/01/2006	6284478	518852800200	5776				
23552	7590	02/24/2006	EXAMINER					
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			<table border="1"> <thead> <tr> <th>ART UNIT</th> <th>PAPER NUMBER</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		ART UNIT	PAPER NUMBER		
ART UNIT	PAPER NUMBER							

DATE MAILED: 02/24/2006

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UNITED STATES PATENT AND TRADEMARK OFFICE

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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Peng Chen

MORRISON & FORESTER LLP

12531 HIGH BLUFF DRIVE, SUITE 100

SAN DIEGO, CA 92130

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/007,913.

PATENT NO. 6284478.

ART UNIT 3991.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

## PUBLIC VERSION

<b>Order Granting / Denying Request For Ex Parte Reexamination</b>	Control No.	Patent Under Reexamination	
	90/007,913	6284478	
	Examiner	Art Unit	
	Evelyn Huang	3991	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The request for *ex parte* reexamination filed 01 February 2006 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

Attachments: a) ☒ PTO-892,      b) ☐ PTO-1449,      c) ☐ Other: \_\_\_\_\_

1. ☒ The request for *ex parte* reexamination is GRANTED.

RESPONSE TIMES ARE SET AS FOLLOWS:

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2. ☐ The request for *ex parte* reexamination is DENIED.

This decision is not appealable (35 U.S.C. 303(c)). Requester may seek review by petition to the Commissioner under 37 CFR 1.181 within ONE MONTH from the mailing date of this communication (37 CFR 1.515(c)). **EXTENSION OF TIME TO FILE SUCH A PETITION UNDER 37 CFR 1.181 ARE AVAILABLE ONLY BY PETITION TO SUSPEND OR WAIVE THE REGULATIONS UNDER 37 CFR 1.183.**

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Evelyn Huang  
Primary Examiner  
Art Unit: 3991

cc:Requester ( if third party requester )

<b>PUBLIC VERSION</b>  <b>Notice of References Cited</b>	Application/Control No. 90/007,913	Applicant(s)/Patent Under Reexamination 6284478	
	Examiner Evelyn Huang	Art Unit 3991	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-4,986,271	01-1991	Wilkins, Ebtisam S.	600/347
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
*	U	Sakakida et al. Sensors and Actuators B, 13-14: 319-322 (May-June, 1993).
*	V	Stenberg et al. Biosensors, 4:27-40 (1988).
*	W	Sakakida et al. (II). Artif. Organs Today, 2(2):145-158 (1992).
*	X	Shichiri et al. Diab. Nutr. Metab., 2:309-313 (1989).

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

PUBLIC VERSION

Application/Control Number: 90/007,913

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Art Unit: 3991

*Reexamination*

*Decision Granting Ex Parte Reexamination*

1. A substantial new question of patentability affecting claims 1-74 of United States Patent Number 6,284,478 to Heller is raised by the request for *ex parte* reexamination.

*Procedural Posture*

2. The request by the Third Party Requester for *ex parte* reexamination is filed on 2/1/2006.

*Ongoing Duty to Disclose*

3. A PTO-1449 has not been filed with the references submitted by the Third Party Requester. The submitted references considered by the examiner are cited in a PTO-892.
4. The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,284,478 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.



PUBLIC VERSION

Application Control Number: 90/007,913

Page 2

Art Unit: 3991

*Reexamination*

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Application/Control Number: 90/007,913

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Art Unit: 3991

*Priority*

4. US 6,284,478, the patent under reexamination, is a continuation of US Application No. 08/299,526, filed on 9-1-1994, issued as US Patent No. 5,593,853, which is a CIP of US Application No. 08/161,682, filed on 12-2-1993, issued as US Patent No. 5,356,786, which is a continuation of US Application No. 07/664,054, filed on 3-4-1991, now abandoned.

5. US Application No. 08/161,682, filed on 12-2-1993, issued as US Patent No. 5,356,786, only describes a glucose electrode coated with an oxidizing enzyme (peroxidase) which allows hydrogen peroxide to selectively oxidize the interferants (as described in Fig. 6). The electrode of the instant invention having preferably three or four layers, including the interference eliminating layer (as described in Fig. 1), was first described in US Application No. 08/299,526, filed on 9-1-1994, issued as US Patent No. 5,593,853. Accordingly, the earliest effective filing date for the patent claims under reexamination is 9-1-1994.

*References Cited by the Third Party Requester*6. *Old References*

*Wilkins* US 4,986,271

*Sakakida et al. (I)* Sensors and Actuators B, 13-14: 319-322 (May-June, 1993).

*Sternberg et al.* Biosensors, 4:27-40 (1988).

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Application Control Number: 90/007,913  
Art Unit: 3991

Page 4

7. *New References*

*Sakakida et al. (II)*. Artif. Organs Today, 2(2) :145-158 (1992).

*Shichiri et al.* Diab. Nutr. Metab., 2:309-313 (1989).

*Claims in U.S. 6,284,478*

8. Claims 1-3 are directed to an electrochemical sensor comprising (a) one or more non-corroding metal or carbon electrodes; (b) a sensing layer comprising an enzyme coupled to each electrode; and (c) a biocompatible layer comprising a biocompatible hydrogel chemically bound to the sensing layer of each electrode.

Claim 4 is directed to an analyte measurement system comprising (a) an electrochemical sensor including two or more non-corroding metal or carbon electrodes, each electrode adapted for subcutaneous implantation in animal, and a non-leachable analyte-responsive enzyme disposed on each of the electrodes; and (b) a device for comparing signals of the two electrodes.

Claims 5-8 are directed an electrochemical sensor comprising (a) one or more non-corroding metal or carbon electrodes; (b) a sensing layer coupled to each electrode wherein the sensing layer comprises a non-leachable redox enzyme; and (c) a microfiltration device for transporting a fluid sample into contact with the sensing layer of at least one of the electrodes.

Claims 9-51, 74 are directed to an electrochemical sensor for measuring an analyte in an animal, comprising one or more analyte responsive electrodes, at lease one electrode adapted for subcutaneous implantation in animal, each of the analyte responsive electrode comprises (a) one two or more non-corroding metal or carbon electrodes and a non-leachable analyte-responsive

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enzyme disposed on each of the electrodes; and (b) a sensing layer comprising a redox enzyme and a redox compound, which are non-leachable fluids in the body of the animal at a pH of 6.5-7.8.

Claims 52-63, 70-73 are directed to a method of calibrating an electrochemical sensor comprising (a) withdrawing a single calibration sample from an animal; (b) assaying an analyte concentration of the sample; and (c) correlating the assayed analyte concentration to a signal generated by one or more implanted working electrode having an analyte-responsive enzyme disposed thereon.

Claims 64-69 are directed to a method for the analysis of a bioanalyte comprising (a) providing an analyte measurement system comprising two or more subcutaneously implantable electrodes; (b) subcutaneously implanting 2 or more electrodes in the animal; (c) obtaining readings from the electrodes at substantially one point in time; (d) comparing two or more of the readings of the electrodes; and (e) accepting those readings which do not vary by more than a predetermined degree.

#### *Substantial New Question of Patentability*

9. For "a substantial new question of patentability" to be present, it is only necessary that:

A. The prior art patents and/or printed publications raise a substantial question of patentability regarding at least one claim, i.e., the teaching of the (prior art) patents and printed publications is such that a reasonable examiner would consider the teaching to be

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Application/Control Number: 90/007,913

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*important in deciding whether or not the claim is patentable; it is not necessary that the prior art establish a prima facie case of unpatentability; and*

*B. The same question of patentability as to the claim has not been decided by the Office in a previous examination or pending reexamination of the patent or in a final holding of invalidity by the Federal Courts in a decision on the merits involving the claim.*

*For any reexamination ordered on or after November 2, 2002, reliance on previously cited/considered art, i.e., "old art," does not necessarily preclude the existence of a substantial new question of patentability (SNQ) that is based exclusively on that old art. Rather, determinations on whether a SNQ exists in such an instance shall be based upon a fact-specific inquiry done on a case-by-case basis. See MPEP 2242.*

*If a substantial new question of patentability is found as to one claim, all claims will be reexamined during the ex parte reexamination process. See MPEP 2216.*

#### *Discussion of the Cited references*

10. *Sakakida I* raises a substantial new question of patentability as to claims 1-74 of the Heller patent.

Sakakida discloses a ferrocene-mediated needle-type glucose sensor wherein glucose oxidase (redox enzyme) and ferrocene carboxaldehyde (redox compound) were immobilized to cellulose diacetate (a polymer) on the platinum electrode. The surface of the sensor was covered with a glucose flux-limiting hydrophobic polyurethane membrane and a biocompatible hydrophilic polyvinyl alcohol membrane (page 319, Materials and Methods; page 320, Fig. 1). The oxygen tension does not affect the output current in the ferrocene-mediated glucose sensor (page 321, 3.1). Furthermore, it requires only one point in situ calibration (page 319, abstract).

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There is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not the claims are patentable. This reference was cited, but was not applied, during the prosecution of the application which became the Heller patent. It is now being viewed in a new light or in different ways. Accordingly, this reference raises a substantial new question of patentability as to claims 1-74, which question has not been decided in a previous examination of the Heller patent.

11. *Sternberg* raises a substantial new question of patentability as to claims 1-74 of the Heller patent.

Sternberg discloses a multilayer needle-type enzyme-based glucose microsensor. More specifically, glucose oxidase (redox enzyme) covalently coupled to a cellulose acetate layer, using bovine serum albumin and parabenzoquinone (redox compound) is deposited on the platinum electrode. The sensor is covered with an outer layer of polyurethane (page 27, abstract; page 29, Fig. 1).

There is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not the claims are patentable. This reference was cited, but was not applied, during the prosecution of the application which became the Heller patent. It is now being viewed in a new light or in different ways. Accordingly, this reference raises a substantial new question of patentability as to claims 1-74, which question has not been decided in a previous examination of the Heller patent.

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12. *Schichiri* together with Sakakida (paragraph 10 above) raise a substantial new question of patentability as to claims 1-74 of the Heller patent.

Schichiri teaches that polyethylene oxide (PEO) membrane is a biocompatible membrane comparable to polyvinyl alcohol membrane. PEO membrane has the in vivo characteristics that its strength of membrane is excellent and the sensor output is good (page 312, Table 2).

There is a substantial likelihood that a reasonable examiner would consider Schichiri's teaching together with the teaching of Sakakida important in deciding whether or not the claims are patentable. Schichiri was not cited during the prosecution of the application which became the Heller patent. Accordingly, Schichiri together with Sakakida raise a substantial new question of patentability as to claims 1-74, which question has not been decided in a previous examination of the Heller patent.

13. *Wilkins (US 4,986,271)* raises a substantial new question of patentability as to claims 1-74 of the Heller patent.

Wilkins discloses an refillable implantable glucose sensor (Fig. 1) wherein the sensing layer comprises glucose oxidase covalently cross linked to the modified graphite (column 4, Example 1) or an electrically conducting polymer (column 4, lines 1-4). The sensing layer is in contact with the working metal electrode (column 3, line 50).

There is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not the claims are patentable. This reference was cited, but was not applied during the prosecution of the application which became the Heller patent. It is now being viewed in a new light or in different ways. Accordingly, this reference raises a substantial

## PUBLIC VERSION

Application/Control Number: 90/007,913

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new question of patentability as to claims 1-74, which question has not been decided in a previous examination of the Heller patent.

14. *Sakakida II* discloses a ferrocene-mediated needle-type glucose sensor wherein glucose oxidase (redox enzyme) and ferrocene carboxaldehyde (redox compound) were immobilized to cellulose diacetate (a polymer) on the platinum electrode. The surface of the sensor was covered with a glucose flux-limiting hydrophobic polyurethane membrane and a biocompatible hydrophilic polyvinyl alcohol membrane (page 147, Fig 1).

There is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not the claims are patentable. This reference was not cited during the prosecution of the application which became the Heller patent. Accordingly, this reference raises a substantial new question of patentability as to claims 1-74, which question has not been decided in a previous examination of the Heller patent.

*Extensions of Time*

15. Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that *ex parte* reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.550(a)). Extensions of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).



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*Future Amendment*

16. Patent owner is notified that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR 1.530(d)-(j), must be formally presented pursuant to 37 CFR 1.52(a) and (b), and must contain any fees required by 37CFR 1.20(c).

*Future Correspondence*

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evelyn Huang whose telephone number is 571-272-0686. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-9900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

PUBLIC VERSION

Application/Control Number: 90/007,913

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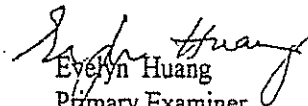
system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

All correspondence relating to this ex parte reexamination proceeding should be directed:


By Mail to: Mail Stop ex parte Reexam  
Central Reexamination Unit  
Office of Patent Legal Administration  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX to: 571-273-9900  
Central Reexamination Unit

By Hand to: Customer Service Window  
Randolph Building  
401 Dulany St.  
Alexandria, VA 22314

  
Evelyn Huang  
Primary Examiner  
Art Unit 3991

Conferee


PUBLIC VERSION

# EXHIBIT C

PUBLIC VERSION

FROM MERCHANT &amp; GOULD

(MON) 7. 2' 01 10:20/S\* 10:19/NO. 4260369883 P 2

S/N 09/668,221

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HRIJER ET AL.	Examiner:	L. Leary
Serial No.:	09/668,221	Group Art Unit:	1623
Filed:	September 22, 2000	Docket No.:	12008.6USC6
Notice of Allowance	June 4, 2001	Batch No:	H14
Dated:			
Title:	SUBCUTANEOUS GLUCOSE ELECTRODE		

FAX RECEIVED

JUL 2 2001

GROUP 1600

CERTIFICATE UNDER 37 CFR 1.6d: The undersigned hereby certifies that this correspondence is being transmitted via facsimile addressed to: Box Issue Fee, Commissioner for Patents, Washington, D.C. 20231 on July 2, 2001.

By: [Signature]Name: POSS J. REEDSCOMMUNICATION

Box ISSUE FEE  
Commissioner for Patents  
Washington, D.C. 20231



Dear Sir:

With this communication, the Applicants wish to inform the United States Patent and Trademark Office that they recently became aware that the Office has no evidence of receipt of the Information Disclosure Statement and accompanying Form 1449 that the Applicants filed on December 22, 2000. Applicants now submit an additional copy of the previously mailed Information Disclosure Statement and Form 1449 and request that they be considered timely filed.

On December 22, 2000 Applicants, through their attorney of record, submitted an Information Disclosure Statement and accompanying Form 1449. As shown in the attached copy of the December 22, 2000 submission, the documents were submitted with a Certificate of Mailing pursuant to 37 C.F.R. § 1.8. Although Teresa Gerth, the person who executed the Certificate of Mailing, has since left the law firm representing the Applicants, it has always been the practice of the law firm to mail any correspondence with the Office under 37 C.F.R. § 1.8 on the same day that the certificate is executed.

**Match & Return**

PUBLIC VERSION

FROM MERCHANT & GOULD

(MON) 7. 2' 01 10:20 '01. 10:19/NO. 4260369883 P 3

The Applicants, therefore, respectfully request that the attached information Disclosure Statement and Form 1449 be deemed timely filed and that the references cited therein be considered.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, MN 55402-0903  
Telephone: 612.332.5300

Dated: July 2, 2001

By: Tong Wu  
Tong Wu  
Reg. No. 43,361

TW:mel

Fax: (612) 332-9081



Match & Return

PUBLIC VERSION

FROM MERCHANT & GOULD

(MON) 7. 2' 01 10:20/ST 10:19/NO. 4260369883 P 4

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: HELLER ET AL.  
For: SUBCUTANEOUS GLUCOSE ELECTRODE  
Docket No.: 12003.6LUSC6  
Filed: September 22, 2000

Serial No.: (N/A) 221  
Due Date: N/A

Date Mailed: December 22, 2000

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status has been previously established
- ☒ Information Disclosure Statement and Form 1449
- ☒ Return postcard

Patent

TW:llg

**Match & Return**

PUBLIC VERSION

FROM MERCHANT &amp; GOULD

(MON) 7. 2' 01 10:20/ST 10:19/NO. 4260369883 P 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HELLER ET AL.	Examiner:	UNKNOWN
Serial No.:	09/688,221	Group Art Unit:	1623
Filed:	September 22, 2000	Docket:	12008.GUSC6
Notice of Allow. Date:	N/A	Batch No.:	N/A
Due Date:	N/A		
Title:	SUBCUTANEOUS GLUCOSE ELECTRODE		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 22, 2000.

By: Teresa Gerth

Teresa Gerth

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status has been previously established
- ☒ Information Disclosure Statement and Form 1449
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5900

By: Tong Wu  
Name: Tong Wu  
Reg. No.: 43,361  
TW:tlg

**Match & Return**

(PTO TRANSMITTAL - GENERAL)

PUBLIC VERSION

FROM MERCHANT &amp; GOULD

(MON) 7. 2' 01 10: ' ST. 10:19/NO. 4260369883 P 6

S/N 09/688,221

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HELLER ET AL.	Examiner:	UNKNOWN
Serial No.:	09/688,221	Group Art Unit:	1623
Filed:	September 22, 2000	Docket No.:	12008.6USC6
Title:	SUBCUTANEOUS GLUCOSE ELECTRODE		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 23, 2000

By: [Signature]  
 Teresa Genh

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/356,102 filed on July 16, 1999.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not

**Match & Return**



PUBLIC VERSION

FROM MERCHANT & GOULD

(MON) 7. 2' 01 10:21/ST 10:19/NO. 4260369883 P 7

represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612) 332-5300

Date: Dec. 22, 2000

By: Tong Wu  
Tong Wu  
Reg No. 43,361



PUBLIC VERSION

FROM MERCHANT &amp; GOULD

(MON) 7. 2' 01 10:21/ST 10:19/NO. 4260369883 P 8

Date Mailed: December 22, 2000

Sheet 1 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT  IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12008.6USC6	Application Number: <del>09/668221</del>
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
LL	3,280,656	07/12/1966	Ross, Jr.	435	14	
LL	3,653,841	04/04/1972	Klein	435	14	
LL	3,719,264	03/06/1973	Lilly, Jr. et al.	435	14	
LL	3,776,833	12/04/1973	Orwin et al.	435	14	
LL	3,817,339	09/24/1974	Airenberg et al.	435	14	
LL	3,926,780	12/16/1975	Allen et al.	435	14	
LL	3,972,320	02/01/1976	Kalman	435	14	
LL	3,979,274	09/07/1976	Newman	435	14	
LL	4,008,717	02/22/1977	Kowarski	435	14	
LL	4,016,866	04/12/1977	Lawton	435	14	
LL	4,055,175	10/25/1977	Clemens et al.	435	14	
LL	4,059,406	11/22/1977	Fleet	435	14	
LL	4,076,506	02/28/1978	Connery et al.	435	14	
LL	4,092,574	07/04/1978	Drappen	435	14	
LL	4,100,048	07/11/1978	Pempe et al.	435	14	
LL	4,151,845	05/01/1979	Clemens	435	14	
LL	4,168,205	09/18/1979	Danninger et al.	435	14	
LL	4,172,770	10/30/1979	Nemetsky et al.	435	14	
LL	4,178,916	12/18/1979	McNamara	435	14	
LL	4,206,753	06/10/1980	Klein	435	14	
LL	4,224,125	09/23/1980	Nakamura et al.	435	14	
LL	4,240,438	12/23/1980	Updike et al.	435	14	
LL	4,247,297	01/27/1981	Berti et al.	435	14	
LL	4,340,458	07/20/1982	Lerner et al.	435	14	
LL	4,352,760	10/05/1982	Donner et al.	435	14	
LL	4,356,074	10/26/1982	Johnson	435	14	
LL	4,365,637	12/28/1982	Johnson	435	14	
LL	4,366,031	12/28/1982	Richter et al.	435	14	

EXAMINER <i>[Signature]</i>	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(1)

07/02/01 MON 12:17 [TX/RX NO 0150] 008

PUBLIC VERSION

FROM MERCHANT &amp; GOULD

(MON) 7. 2' 01 10:2' '3T. 10:19/NO. 4260369883 P 9

Date Mailed: December 22, 2000

Sheet 3 of 19

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docet Number: 120N8.6USC6	Application Number: 09/668221
	Applicant: HELLER ET AL	
	Filing Date: 09/23/2000	Group Art Unit: 1623

LC	4,375,399	03/01/1983	Hayes et al.	435	14	
LC	4,384,586	05/24/1983	Christiansen	435	14	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
LC	4,390,621	06/28/1983	Bauer	435	14	
LC	4,401,122	08/10/1983	Clark, Jr.	435	14	
LC	4,404,066	09/13/1983	Johnson	435	14	
LC	4,418,149	11/29/1983	Olchahud	435	14	
LC	4,427,770	01/24/1984	Clon et al.	435	14	
LC	4,431,004	02/14/1984	Bestman et al.	435	14	
LC	4,436,094	03/13/1984	Cerami	435	14	
LC	4,440,175	04/03/1984	Wilkins	435	14	
LC	4,450,842	05/29/1984	Ziek et al.	435	14	
LC	4,458,686	07/10/1984	Clark, Jr.	435	14	
LC	4,461,091	07/24/1984	Frank	435	14	
LC	4,469,110	09/04/1984	Stama	435	14	
LC	4,477,314	10/16/1984	Richter et al.	435	14	
LC	4,484,987	11/27/1984	Gough	435	14	
LC	4,522,690	06/11/1985	Venkataswamy	435	14	
LC	4,524,114	06/18/1985	Samuels et al.	435	14	
LC	4,526,661	07/02/1985	Szeckhan et al.	435	14	
LC	4,534,356	08/13/1985	Popodakis	435	14	
LC	4,539,616	09/03/1985	Rogoff	435	14	
LC	4,543,955	10/07/1985	Schroepel	435	14	
LC	4,545,382	10/08/1985	Higgins et al.	435	14	
LC	4,552,840	11/12/1985	Ritter	435	14	
LC	4,560,534	12/24/1985	Kung et al.	435	14	
LC	4,571,292	02/18/1986	Liu et al.	435	14	
LC	4,573,994	03/04/1986	Fitchell et al.	435	14	

EXAMINER <i>LC</i>	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered; otherwise or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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(MON) 7. 2' 01 10:22/ST 10:19/NO. 4260369883 P 10

Date Mailed: December 22, 2000

Sheet 3 of 19

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  <small>(Use several sheets if necessary)</small>	Docket Number: 12008.6USCA	Application Number: <del>2009</del> 09/668221
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

CC	4,581,336	04/08/1986	Malloy et al.	435	14
CC	4,595,011	06/17/1986	Phillips	435	14
CC	4,619,754	10/28/1986	Nishi et al.	435	14
CC	4,627,445	12/09/1986	Ozawa et al.	435	14

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CC	4,627,908	12/09/1986	Miller	435	14	
CC	4,633,878	01/06/1987	Bombardieri	435	14	
CC	4,637,403	01/20/1987	Garcia et al.	435	14	
CC	4,650,547	03/17/1987	Gough	435	14	
CC	4,654,197	03/31/1987	Lilja et al.	435	14	
CC	4,655,880	04/07/1987	Lu	435	14	
CC	4,655,885	04/07/1987	Hill et al.	435	14	
CC	4,671,288	06/09/1987	Gough	435	14	
CC	4,679,562	07/14/1987	Lukata	435	14	
CC	4,680,268	07/14/1987	Clark, Jr.	435	14	
CC	4,682,602	07/28/1987	Prohaska	435	14	
CC	4,684,537	08/04/1987	Graczel et al.	435	14	
CC	4,685,463	08/11/1987	Williams	435	14	
CC	4,703,756	11/03/1987	Gough et al.	435	14	
CC	4,711,245	12/08/1987	Higgins et al.	435	14	
CC	4,717,673	01/05/1988	Wrighton et al.	435	14	
CC	4,721,601	01/20/1988	Wrighton et al.	435	14	
CC	4,721,677	01/26/1988	Clark, Jr.	435	14	
CC	4,726,578	02/23/1988	Kaplan	435	14	
CC	4,726,716	02/23/1988	McGuire	435	14	
CC	4,757,022	07/12/1988	Shulz et al.	435	14	
CC	4,758,323	07/19/1988	Davis et al.	435	14	
CC	4,759,371	07/26/1988	Franelaki	435	14	

EXAMINER <u>CC</u>	DATE CONSIDERED <u>9/01</u>
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Date Mailed: December 22, 2000

Sheet 4 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT  IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12008.6USC6	Application Number: <del>09/668221</del>
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group An Unit: 1623

LL	4,759,828	07/24/1998	Young et al.	435	14	
LL	4,764,416	08/16/1998	Ueyama et al.	435	14	
LL	4,776,944	10/11/1998	Jarvis et al.	435	14	
LL	4,777,953	10/18/1998	Ash et al.	435	14	
LL	4,781,798	11/01/1998	Gough	435	14	
LL	4,784,736	11/15/1998	Londale et al.	435	14	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
LL	4,795,707	01/03/1999	Niiyama et al.	435	14	
LL	4,796,634	01/10/1999	Huntzman et al.	435	14	
LL	4,805,824	02/21/1999	Yao et al.	435	14	
LL	4,813,424	03/21/1999	Wilkins	435	14	
LL	4,815,669	03/28/1999	Cohen et al.	435	14	
LL	4,820,399	04/11/1999	Senda et al.	435	14	
LL	4,822,337	04/18/1999	Newhouse et al.	435	14	
LL	4,830,939	05/16/1999	McNeil et al.	435	14	
LL	4,832,797	05/23/1999	Vadgarua et al.	435	14	
LL	Re. 32,947	06/13/1999	Dorner et al.	435	14	
LL	4,840,893	06/20/1999	Hill et al.	435	14	
LL	4,848,351	07/18/1999	Finch	435	14	
LL	4,854,322	08/08/1999	Ash et al.	435	14	
LL	4,871,351	10/03/1999	Feingold	435	14	
LL	4,871,440	10/03/1999	Nigata et al.	435	14	
LL	4,874,500	10/17/1999	Madsu et al.	435	14	
LL	4,890,620	01/02/2000	Gough	435	14	
LL	4,894,137	01/16/2000	Takizawa et al.	435	14	
LL	4,897,162	01/20/2000	Lewandowski et al.	435	14	
LL	4,897,173	01/20/2000	Nakai et al.	435	14	
LL	4,909,908	03/20/2000	Ross et al.	435	14	
LL	4,911,794	03/27/2000	Parco et al.	435	14	

EXAMINER <i>[Signature]</i>	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered; otherwise omit citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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Date Mailed: December 12, 2000

Sheet 5 of 10

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12008.0USC6	Application Number: <del>4260369883</del> 09/668221
	Applicant: HELLER ET AL	
	Filing Date: 09/22/2000	Group Art Unit: 1673

LL	4,917,800	04/17/1990	Londale et al.	435	28	
LL	4,919,141	04/24/1990	Zier et al.	435	28	
LL	4,919,767	04/24/1990	Vadgama et al.	435	28	
LL	4,923,586	05/08/1990	Katayama et al.	435	28	
LL	4,927,516	05/22/1990	Yamaguchi et al.	435	28	
LL	4,934,369	06/19/1990	Maxwell	435	28	
LL	4,935,105	06/19/1990	Churchouse	435	28	
LL	4,935,345	06/19/1990	Gullbeau et al.	435	28	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
LL	4,938,800	07/03/1990	Wojcik	435	14	
LL	4,944,299	07/03/1990	Silvin	435	14	
LL	4,950,378	08/21/1990	Nagata	435	14	
LL	4,953,552	09/04/1990	DeMarzio	435	14	
LL	4,954,129	09/04/1990	Gjullani et al.	435	14	
LL	4,969,468	11/13/1990	Dyers et al.	435	14	
LL	4,970,193	11/13/1990	Bennett et al.	435	14	
LL	4,974,929	12/04/1990	Curry	435	14	
LL	4,986,271	01/22/1991	Wilkins	435	14	
LL	4,994,167	02/19/1991	Shultz et al.	435	14	
LL	5,001,054	03/19/1991	Wagner	435	14	
LL	5,002,054	03/26/1991	Ash et al.	435	14	
LL	5,038,592	10/22/1991	Whitler	435	14	
LL	5,070,535	12/03/1991	Hochmair et al.	435	14	
LL	5,082,550	01/21/1992	Rishpon et al.	435	14	
LL	5,082,786	01/21/1992	Nakamoto	435	14	
LL	5,089,112	02/18/1992	Skoljevic et al.	435	14	
LL	5,095,904	03/17/1992	Seligman et al.	435	14	
LL	5,101,816	04/07/1992	Patil	435	14	

EXAMINER <i>L. Lee</i>	DATE CONSIDERED 9/01
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Date Mailed: December 12, 2000

Sheet 6 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number 12008.01/5C/6	Application Number <del>5000</del> 09/668221
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

LL	5,106,365	04/21/1992	Hernandez	435	14	
LL	5,108,564	04/28/1992	Stamitsky et al.	435	14	
LL	5,109,850	05/05/1992	Blanco et al.	435	14	
LL	5,120,420	06/09/1992	Nankai et al.	435	14	
LL	5,126,034	06/09/1992	Carter et al.	435	14	
LL	5,133,858	07/28/1992	Yamaguchi et al.	435	14	
LL	5,135,003	08/04/1992	Souma	435	14	
LL	5,141,868	08/25/1992	Shanks et al.	435	14	
LL	5,161,537	11/10/1992	Joseph	435	14	
LL	5,165,407	11/24/1992	Wilson et al.	435	14	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
LL	5,174,291	12/29/1992	Schoonen et al.	435	14	
LL	5,190,041	03/02/1993	Palti	435	14	
LL	5,192,416	03/09/1993	Wang et al.	435	14	
LL	5,198,367	03/30/1993	Aizawa et al.	435	14	
LL	5,202,261	04/13/1993	Murho et al.	435	14	
LL	5,205,920	04/27/1993	Oyama et al.	435	14	
LL	5,208,154	05/04/1993	Weaver et al.	435	14	
LL	5,209,229	05/11/1993	Gilli	435	14	
LL	5,217,595	06/08/1993	Smith et al.	435	14	
LL	5,229,287	07/20/1993	Yoshioka et al.	435	14	
LL	5,250,439	10/05/1993	Murho et al.	435	14	
LL	5,262,035	11/18/1993	Gregg et al.	435	14	
LL	5,262,305	11/18/1993	Heller et al.	435	14	
LL	5,264,103	11/23/1993	Yoshioka et al.	435	14	
LL	5,264,104	11/23/1993	Gregg et al.	435	14	
LL	5,264,106	11/23/1993	McAlear et al.	435	14	
LL	5,271,815	12/21/1993	Wing	435	14	
LL	5,279,294	01/18/1994	Anderson et al.	435	14	

EXAMINER <i>L. Heller</i>	DATE CONSIDERED 9/01
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Date Mailed: December 22, 2000

Sheet 7 of 19

FORM 1449 <sup>a</sup> INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use reverse) sheets if necessary)	Docket Number: 12049.6HSC6	Application Number: 09/668221
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

CC	5,286,362	07/15/1994	Hocens et al.	435	14	
CC	5,286,364	02/15/1994	Vazynych et al.	435	14	
CC	5,288,636	02/22/1994	Polimara et al.	435	14	
CC	5,293,546	03/08/1994	Tadros et al.	435	14	
CC	5,320,098	05/14/1994	Davidson	435	14	
CC	5,320,725	05/14/1994	Gregg et al.	435	14	
CC	5,322,063	06/21/1994	Allen et al.	435	14	
CC	5,337,747	02/16/1994	Nefel	435	14	
CC	5,352,348	10/04/1994	Young et al.	435	14	
CC	5,356,786	10/18/1994	Heller et al. DUP	435	14	
CC	5,368,018	11/29/1994	Pahl	435	14	
CC	5,372,133	12/13/1994	Hogen Esch	435	14	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CC	5,376,251	12/27/1994	Kaweko et al.	435	14	
CC	5,378,628	01/03/1995	Grazel et al.	435	14	
CC	5,387,327	02/07/1995	Khan	435	14	
CC	5,390,671	02/21/1995	Lord et al.	435	14	
CC	5,391,250	02/21/1995	Chaney, II et al.	435	14	
CC	5,395,504	03/07/1995	Sauer et al.	435	14	
CC	5,411,647	05/02/1995	Johnson et al.		14	
CC	5,437,999	08/01/1995	Dicbold et al.		14	
CC	5,462,645	10/11/1995	Alberov et al.		14	
CC	5,469,866	11/28/1995	Khan		14	
CC	5,494,582	02/27/1996	Maley et al.		14	
CC	5,496,453	03/05/1996	Uenoyama et al.		14	
CC	5,497,772	03/12/1996	Schulman et al.		14	
CC	5,531,878	07/02/1996	Vadgama et al.		14	
CC	5,545,191	08/13/1996	Mann et al.		14	

EXAMINER <i>L. L. ...</i>	DATE CONSIDERED 9/01
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<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Pocket Number: 12002.61USCA	Application Number: <u>09/668221</u>
	Applicant: <u>HELLEN ET AL.</u>	
	Filing Date: <u>09/22/2000</u>	Group Art Unit: <u>1623</u>

CC	5,560,357	10/01/1996	Faupel et al.	435	14	
CC	5,565,085	10/15/1996	Ibeda et al.	435	14	
CC	5,567,302	10/22/1996	Song et al.	435	14	
CC	5,568,808	10/29/1996	Cheney, II et al.	435	14	
CC	5,569,186	10/29/1996	Lund et al.	435	14	
CC	5,582,184	12/10/1996	Erickson et al.	435	14	
CC	5,582,697	12/10/1996	Ibeda et al.	435	14	
CC	5,582,698	12/10/1996	Fishery et al.	435	14	
CC	5,586,553	12/24/1996	Halili et al.	435	14	
CC	5,589,326	12/31/1996	Deng et al.	435	14	
CC	5,593,852	01/14/1997	Neller et al. <i>wp</i>	435	14	
CC	5,596,150	01/21/1997	Amidi et al.	435	14	
CC	5,617,851	04/08/1997	Lipkover	435	14	
CC	5,621,890	05/13/1997	Carter et al.	435	14	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CC	5,651,869	07/29/1997	Yoshoka et al.	435	14	
CC	5,660,163	08/26/1997	Schulman et al.	435	14	
CC	5,670,031	09/23/1997	Hinsche et al.	435	14	
CC	5,680,858	10/28/1997	Hansen et al.	435	14	
CC	5,682,233	10/28/1997	Brida	435	14	
CC	5,695,623	12/09/1997	Michel et al.	435	14	
CC	5,708,247	01/13/1998	McAlister et al.	435	14	
CC	5,711,861	01/27/1998	Ward et al.	435	14	
CC	5,711,862	01/27/1998	Sakoda et al.	435	14	
CC	5,741,211	04/21/1998	Rentrie et al.	435	14	
CC	5,791,344	08/11/1998	Schulman et al.	435	14	

EXAMINER <i>CC</i>	DATE CONSIDERED <u>9/01</u>
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Sheet 9 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT  IN AN APPLICATION  (Use several sheets if necessary)	Docket Number: 12008.611/KEG	Application Number: <del>09/668221</del>
	Applicant: HELLER ET AL	
	Filing Date: 09/22/1990	Group Art Unit: 1623

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
CC	29 03 216	02/02/1979	DE			Abstract	
CC	227 029 A3	09/04/1985	DD (East Germany)			Abstract	
CC	3934299	10/25/1990	DE (Abstract only)			X	
CC	44 01 400 A1	07/20/1995	DE			Abstract	
CC	0 010 375 A1	04/30/1990	EP			X	
CC	0 026 995 A1	04/15/1991	EP			X	
CC	0 048 090 A2	03/24/1982	EP			X	
CC	0 078 636 A1	05/11/1983	EP			X	
CC	0 096 288 A1	12/21/1983	EP				X
CC	0 125 139 A2	11/14/1984	EP			X	
CC	0 127 938 A2	12/12/1984	EP			X	
CC	0 136 362 A1	04/10/1985	EP			X	
CC	0 170 375 A2	02/05/1986	EP			X	
CC	0 177 743 A2	04/16/1986	EP (Abstract only)				
CC	0 080 304 B1	05/21/1986	EP			X	
CC	0 184 909 A2	05/18/1986	EP			X	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
CC	0 206 218 A2	12/30/1986	EP			X	
CC	0 230 472 A1	08/05/1987	EP			X	
CC	0 241 309 A3	10/14/1987	EP			X	
CC	0 245 073 A2	11/11/1987	EP			X	
CC	0 278 647 A2	08/17/1988	EP			X	
CC	0 359 831 A1	03/28/1990	EP			X	
CC	0 368 209 A1	05/16/1990	EP			X	
CC	0 390 390 A1	10/03/1990	EP			X	

EXAMINER: <i>C. Lee</i>	DATE CONSIDERED: 9/01
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Date Mailed: December 11, 2000

Sheet 10 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12081.6USC6	Application Number: <del>09/668221</del>
	Applicant: HELLER ET AL	
	Filing Date: 09/22/2000	Group Art Unit: 1623

LC	D 400 918 A1	12/05/1990	EP		X	
LC	D 453 283 A1	10/23/1991	EP		X	
LC	D 470 250 A1	02/12/1992	EP		Abstract	
LC	D 127 958 B2	03/11/1992	EP		X	
LC	D 255 291 B1	06/24/1992	EP		X	
LC	1394171	05/14/1993	GB (Abstract only)			
LC	1599241 A	09/03/1993	GB (Abstract only)			
LC	2 073 891 A	10/21/1993	GB		X	
LC	2 154 003 B	02/17/1994	GB		X	
LC	2 204 408 A	11/09/1994	GB		X	
LC	2 254 436 A	10/07/1994	GB		X	
LC	54.41191	04/02/1970	JP (Abstract only)			
LC	55-10581	01/25/1980	JP		Abstract	
LC	55-10583	01/25/1980	JP		Abstract	
LC	55-10584	01/25/1980	JP		Abstract	
LC	55-12406	01/29/1980	JP		Abstract	
LC	56-163447	12/16/1981	JP		Abstract	
LC	57-70448	04/30/1982	JP		Abstract	
LC	60-173457	09/06/1985	JP (Abstract only)			
LC	60-173458	09/06/1985	JP		Abstract	
LC	60-173459	09/06/1985	JP		Abstract	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
LC	61-90050	05/02/1986	JP			Abstract	
LC	62-83855	04/20/1987	JP			Abstract	
LC	62-114747	05/25/1987	JP			Abstract	
LC	63-58169	03/12/1988	JP			Abstract	
LC	63-126252	03/31/1988	JP			Abstract	
LC	63-139246	06/11/1988	JP			Abstract	

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<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 12008.6USC6	Application Number: <del>09/668221</del>
	Applicant: HELLER LT AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

CC	63-294799	12/01/1985	JP		Abstract	
CC	63-317757	12/26/1985	JP		Abstract	
CC	63-317758	12/26/1985	JP		Abstract	
CC	1-114746	03/08/1989	JP		Abstract	
CC	1-114747	03/08/1989	JP		Abstract	
CC	1-124080	05/16/1989	JP		Abstract	
CC	1-124244	05/26/1989	JP		Abstract	
CC	1-126658	06/20/1989	JP		Abstract	
CC	2-62958	03/02/1990	JP		Abstract	
CC	2-120615	05/08/1990	JP		Abstract	
CC	2-287145	11/27/1990	JP		Abstract	
CC	2-310457	12/26/1990	JP (Abstract only)			
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CC	3-28752	02/06/1991	JP (Abstract only)			
CC	3-202764	09/04/1991	JP		Abstract	
CC	5-72171	03/23/1992	JP		Abstract	
CC	5-196598	08/06/1993	JP		Abstract	
CC	6-190050	07/12/1994	JP (Abstract only)			
CC	7-72585	03/17/1995	JP		Abstract	
CC	WO 85/03119	11/21/1985	PCT		Abstract	
CC	WO 89/03713	09/21/1989	PCT		X	
CC	WO 90/05300	05/17/1990	PCT		X	
CC	WO 90/05910	05/31/1990	PCT		X	

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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
CC	WO 91/01680	02/21/1991	PCT			X	
CC	WO 91/04704	04/18/1991	PCT			Abstract	
CC	WO 91/15993	10/31/1991	PCT			X	
CC	WO 92/13271	08/06/1992	PCT			X	

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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12008.6USC6	Application Number: <del>09/668221</del>
	Applicant: HELLER ET AL	
	Filing Date: 09/22/2000	Group Art Unit: 1623

EE	WO 94/20602	09/15/1994	PCT		X	
EE	WO 94/27140	11/24/1994	PCT		X	
EE	WO 96/30431	10/03/1996	PCT		X	
EE	WO 97/02147	01/08/1997	PCT		Abstract	
EE	WO 97/19344	05/29/1997	PCT		X	
EE	WO 97/42852	11/20/1997	PCT		X	
EE	WO 97/42883	11/20/1997	PCT		X	
EE	WO 97/42886	11/20/1997	PCT		X	
EE	WO 97/42888	11/20/1997	PCT		X	
EE	WO 97/41962	11/27/1997	PCT		X	
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EE		Abstract from Katz, J. et al., "Monitoring of Glucose and Lactate Using Microdialysis: Applications in Neurons and Rat Brain", <i>Developmental Neuroscience</i> , Vol. 15, No. 3-5, pp. 249-46 (1993).				
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EXAMINER <u>L. L. Cam...</u>	DATE CONSIDERED <u>9/01</u>
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Sheet 13 of 19

PTO/ST 1449 <b>INFORMATION DISCLOSURE STATEMENT</b> IN AN APPLICATION (Use several sheets if necessary)	Document Number: 17001AUSCA	Application Number: 09/668221
	Applicant: HEILER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1673

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
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CC		Cass, A.E.G. et al., "Ferrocene-Mediated Enzyme Electrode for Amperometric Determination of Glucose," <i>Anal. Chem.</i> , 56(4):667-671 (April 1984).
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EXAMINER: <u>L. R. [Signature]</u>	DATE CONSIDERED: <u>9/6/01</u>
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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number:	Application Number:
	12008.6USC6	<del>09/668221</del>
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

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LL	Foulds, N.C. et al., "Enzyme Entrapment in Electrically Conducting Polymers," <i>J. Chem. Soc., Faraday Trans. 1</i> , 82:1259-1264 (1986).
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EXAMINER <u>L. L. L.</u>	DATE CONSIDERED <u>9/01</u>
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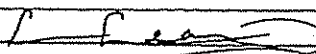
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FORM 1449*	INFORMATION DISCLOSURE STATEMENT  IN AN APPLICATION  (Use several sheets if necessary):	Packet Number:	Application Number:
		12008.6USC6	<del>12008.6USC6</del> 09/668221
		Applicant: HELLER ET AL.	
		Filing Date: 07/22/2000	Group An Uniq: 1623

LE	Hawkrige, F. M. et al., "Indirect Coulometric Titration of Biological Electron Transport Components," <i>Analytical Chemistry</i> , 45(7):1021-1027 (June 1973).
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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary.)	Docket Number: 12001.6USC6	Application Number: 09/668221
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group An Unit: 1623

LL	Laurell, T., "A Continuous Glucose Monitoring System Based on Microdialysis", <i>Journal of Med. Eng. &amp; Tech.</i> , Vol. 16, No. 5, pp. 187-193 (September/October 1992).
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LL	Nakamura, S. et al., "Effect of Periodate Oxidation on the Structure and Properties of Glucose Oxidase," <i>Biochimica et Biophysica Acta</i> , 445:294-308 (1976).
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LL	Palleschi, G. et al., "A Study of Interference in Glucose Measurements in Blood by Hydrogen Peroxide Used Glucose Probes", <i>Anal. Biochem.</i> , 159:114-121 (1986).

EXAMINER <i>[Signature]</i>	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

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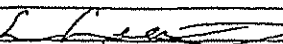
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Date Mailed: December 22, 2000

Sheet 17 of 19

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12008.6USC6	Application Number: <del>09/668221</del> 09/668221
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group An Unit: 1623

CC	Pantkraj, I. et al., "Sol-gel derived renewable-surface biosensors," <i>Journal of Electroanalytical Chemistry</i> , 393:35-41 (1995)
CC	Palhak, C. P. et al., "Rapid Photopolymerization of Immunoprotective Gels in Contact with Cells and Tissue," <i>J Am Chem Soc</i> 114(21):8311-8312 (1992).
CC	Pickup, J. "Developing glucose sensors for in vivo use," <i>TECHNICAL</i> , Vol. 11, pp. 285-289 (July 1993).
CC	Pickup, J. et al., "Potentially-implantable, amperometric glucose sensors with mediated electron transfer: improving the operating stability," <i>Biosensors</i> , 4(2), 109-19, (Abstract only) (1989).
CC	Pickup, J. C. et al., "In vivo molecular sensing in diabetes mellitus: an implantable glucose sensor with direct electron transfer," <i>Diabetologia</i> , 32(3):213-217 (1989).
CC	Plisko, M.V. et al., "Amperometric Glucose Microelectrodes Prepared Through Immobilization of Glucose Oxidase in Redox Hydrogels", <i>Anal. Chem.</i> , 63(20):2268-2272 (October 15, 1991).
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)	
CC	Poitout, V. et al., "In vitro and in vivo evaluation in dogs of a miniaturized glucose sensor," <i>ANALYTICAL Transactions</i> , 37(3) (1 page - Abstract only) (July-September 1991)
CC	Poitout, V. et al., "Calibration in dogs of a subcutaneous miniaturized glucose sensor using a glucose meter for blood glucose determination," <i>Biosensors &amp; Bioelectronics</i> , 7, pp. 587-592 (1992).
CC	Poitout, V. et al., "A glucose monitoring system for on line estimation in man of blood glucose concentration using a miniaturized glucose sensor implanted in the subcutaneous tissue and a wearable control unit," (1 page - Abstract only) <i>Diabetologia</i> 36(7):632-633 (July 1993).
CC	Pollak, A. et al., "Enzyme Immobilization by Condensation Copolymerization into Cross-Linked Polysaccharide Gels," <i>J Am Chem Soc.</i> , 102(20):6326-6336 (1980).
CC	Renz, G. et al., "Can Continuous Glucose Monitoring Be Used for the Treatment of Diabetes?" <i>Analytical Chemistry</i> , 64(6):381-386 (March 15, 1992).
CC	Robins, K. et al., "Automated Feedback Control of Subcutaneous Glucose Concentration in Diabetic Dogs", <i>Diabetologia</i> , 32(8):573-576 (August 1989).
CC	Sakakida, M. et al., "Ferrocene-mediated needle-type glucose sensor covered with newly designed biocompatible membrane," <i>Sensors and Actuators B</i> , 13-14:319-322 (1993).
CC	Samoski, G. J. et al., "An Electrode-Supported Oxidation Catalyst Based on Ruthenium (IV) p11 "Encapsulation" in a Polymeric Film," <i>J Am Chem Soc.</i> , 103(2):307-312 (1981).
CC	Sesto, S.V. et al., "Electropolymerized 1,2-Diaminobenzene as a Means to Prevent Interferences and Fouling and to Stabilize Immobilized Enzyme in Electrochemical Biosensors", <i>Anal. Chem.</i> , 62(11):1111-1117 (June 1, 1990).
CC	Scheller, F. et al., "Enzyme electrodes and their application," <i>Phil. Trans. R. Soc. Lond.</i> , B 316:85-94 (1987).
CC	Schmehl, R.H. et al., "The Effect of Redox Site Concentration on the Rate of Mediated Oxidation of Solution Substrates by a Redox Copolymer Film", <i>J. Electroanal. Chem.</i> , 152:97-109 (August 25, 1983).
CC	Schmidt, F.J. et al., "Calibration of a Wearable Glucose Sensor", <i>The International Journal of Artificial Organs</i> , Vol. 15, No. 1, pp. 55-61 (1992).
CC	Shikliri, M. et al., "Glycemic Control in Pancreatectomized Dogs with a Wearable Artificial Endocrine Pancreas", <i>Diabetologia</i> , 24(3):179-184 (March 1983).
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EXAMINER 	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered, otherwise not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substantive Disclosure Statement Form (PTO-1449)

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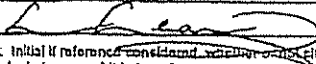
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Sheet 18 of 19

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number:	Application Number:
	12008.6USC*	<del>09/668221</del>
	Applicant: HELLER ET AL.	
	Filing Date: 09/22/2000	Group An Unit: 1623

LL	Soegjoko, S. et al., <i>Intern. Microb. Rev., Suppl. Ser.</i> , 12, pp. 165-9 (1982) (Abstract).
LL	Spurles, S. D. et al., "Evaluation of a New Disposable Screen-Printed Sensor Strip for the Measurement of NADH and Its Modification to Produce a Lactate Biosensor Employing Micrometric Volumes," <i>Electroanalysis</i> , 8(6):539-543 (1996).
LL	Stenberg, R. et al., "Ca <sup>2+</sup> Initiated Problems of Subcutaneous Glucose Sensors when Applied "In-Situ" in Man," <i>Sensors and Actuators</i> , 26:524-525 (1994).
LL	Stenberg, R. et al., "Covalent Enzyme Coupling on Cellulose Acetate Membranes for Glucose Sensor Development," <i>Analyst</i> , 100(24):2781-2786 (December 15, 1988).
LL	Stenberg, R. et al., "Study and Development of Multilayer Needle-type Enzyme-based Glucose Microsensors," <i>Sensors</i> , 4:27-49 (1988).
LL	Suekane, M., "Immobilization of glucose isomerase," <i>Zeitschrift für Allgemeine Mikrobiologie</i> , 22(8):565-576 (1982).
LL	Tajima, S. et al., "Simultaneous Determination of Glucose and 1,5-Anhydroglucitol," <i>Chemical Abstracts</i> , 111(23):394-111:228536g (December 18, 1989).

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LL	Tarasovich, M.R. "Bioelectrocatalysis", <i>Comprehensive Treatise of Electrochemistry</i> , 10 (Ch. 4):231-295 (1983).
LL	Tatsuma, T. et al., "Enzyme Monolayer- and Bilayer-Modified Tin Oxide Electrodes for the Determination of Hydrogen Peroxide and Glucose," <i>Anal. Chem.</i> , 61(21):2352-2355 (November 1, 1989).
LL	Taylor, C. et al., "Wiring" of glucose oxidase within a hydrogel made with poly(vinyl imidazole) complexed with [Os(4,4'-dimethoxy-2,2'-bipyridine)Cl] <sup>2+</sup> , <i>Journal of Electroanalytical Chemistry</i> , 396:511-515 (1995).
LL	Trojanowicz, M. et al., "Enzyme Entrapped Polypyrrole Modified Electrode for Flow-Injection Determination of Glucose," <i>Sensors &amp; Bioelectronics</i> , 5:149-156 (1990).
LL	Turner, A.P.F. et al., "Diabetes Mellitus: Biosensors for Research and Management", <i>Biosensors</i> , 1:85-115 (1985).
LL	Turner, R. F. B. et al., "A Biocompatible Enzyme Electrode for Continuous <i>in vivo</i> Glucose Monitoring in Whole Blood," <i>Sensors and Actuators</i> , 10(1-6):561-564 (January 1990).
LL	Tuzhi, P. et al., "Constant Potential Pretreatment of Carbon Fiber Electrodes for <i>In Vivo</i> Electrochemistry", <i>Analytical Letters</i> , 24(6):933-943 (1991).
LL	Umade, M., "Protein-Modified Electrochemically Active Biomaterial Surface," <i>U.S. Army Research Office Report</i> , 112 pages (December 1986).
LL	Urban, G. et al., "Miniaturized Thin-Film Biosensors Using Covalently Immobilized Glucose Oxidase", <i>Sensors &amp; Bioelectronics</i> , 6(7):555-562 (1991).
LL	Vadgans et al., "Sensor device," United States Patent 5,531,878, Issued July 2, 1996, 2 pages (Abstract only).
LL	Velho et al., "Strategies for calibrating a subcutaneous glucose sensor," <i>Biomedical Electronics Arts</i> , Vol. 42, Issue 11-12, pp. 937-964 (1989).
LL	Velho, G. et al., "In Vitro and In Vivo Stability of Electrode Potentials in Needle-Type Glucose Sensors", <i>Diabetes</i> , 38(2):164-171 (February 1989).
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EXAMINER 	DATE CONSIDERED 9/01
EXAMINER: Initial if reference considered and whether citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1440)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Date Mailed: December 11, 2000

Sheet 19 of 19

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 12008.6USCA	Application Number: <del>09/668221</del>
	Applicant: HULLER ET AL.	
	Filing Date: 09/22/2000	Group Art Unit: 1623

LL	Vrecke, M. S. et al., "Chapter 15: Hydrogen Peroxide Electrodes Based on Electrical Connection of Redox Centers of Various Peroxidases to Electrodes through a Three-Dimensional Electron-Relaying Polymer Network," <i>Diagnostic Biosensor Polymers</i> , 7 pgs. (July 26, 1993).
LL	Wang, D. L. et al., "Miniaturized Flexible Amperometric Lactate Probe," <i>Analytical Chemistry</i> , 65(8):1060-1073 (April 15, 1993).
LL	Wang, J. et al., "Activation of Glassy Carbon Electrodes by Alternating Current Electrochemical Treatment," <i>Analytica Chimica Acta</i> , 167:325-334 (January 1995).
LL	Wang, J. et al., "Amperometric biosensing of organic peroxides with permanganate-modified electrodes," <i>Analytica Chimica Acta</i> , 254:51-58 (1991).
LL	Wang, J. et al., "Screen-Printable Sol-Gel Enzyme-Containing Carbon Inks," <i>Analytical Chemistry</i> , 68(15):2705-2708 (August 1, 1996).
LL	Wang, J. et al., "Sol-Gel-Derived Metal-Dispersed Carbon Composite Amperometric Biosensors," <i>Electroanalysis</i> , 9(1):52-55 (1997).
LL	Williams, D.L. et al., "Electrochemical-Enzymatic Analysis of Blood Glucose and Lactate," <i>Anal. Chem.</i> , 42(1):118-121 (January 1970).
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>	
LL	Wilson, G. S. et al., "Progress toward the Development of an Implantable Sensor for Glucose," <i>Clinical Chemistry</i> , 38(9):1613-1617 (1992).
LL	Yabuki, S. et al., "Electron-conductive Enzyme Membrane," <i>J. Chem. Soc. Chem. Commun.</i> , 745-746 (1989).
LL	Yang, L. et al., "Determination of Oxidase Enzyme Substrates Using Cross-Flow Thin-Layer Amperometry," <i>Electroanalysis</i> , 8(8-9):716-721 (1996).
LL	Yao, S.J. et al., "The Interference of Ascorbate and Urea in Low-Potential Electrochemical Glucose Sensing," <i>Proceedings of the Twelfth Annual Instructional Conference of the IEEE Engineering in Medicine and Biology Society</i> , 12(2):487-489 (November 1-4, 1990).
LL	Yao, T. et al., "A Chemically-Modified Enzyme Membrane Electrode As An Amperometric Glucose Sensor," <i>Analytica Chimica Acta</i> , 148:27-33 (1983).
LL	Ye, L. et al., "High Current Density 'Wire' Oculoprotein Glucose Dehydrogenase Electrode," <i>Anal. Chem.</i> , 65(2):236-241 (February 1, 1993).
LL	Yildiz, A. et al., "Evaluation of an Improved Thin-Layer Electrode," <i>Analytical Chemistry</i> , 49(70):1018-1024 (June 1968).
LL	Zamzow, K. et al., "New Wearable Continuous Blood Glucose Monitor (BGM) and Artificial Pancreas (AP)," <i>Diabetes</i> , 39:5A120 (May 1990).
LL	Zhang, Y. et al., "Application of cell culture toxicity tests to the development of implantable biosensors," <i>Biosensors &amp; Bioelectronics</i> , 6:653-661 (1991).
LL	Zhang, Y. et al., "Elimination of the Acetaminophen Interference in an Implantable Glucose Sensor," <i>Anal. Chem.</i> , 66:1183-1186 (1994).

EXAMINER <u>[Signature]</u>	DATE CONSIDERED <u>9/01</u>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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# EXHIBIT D

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TO: APPLICANT  
MICROSOFT CORPORATION  
1000 MICROSOFT AVENUE  
REDMOND, WA 98073-0800

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/0649,211	09/22/00	600	LEARY, L	10/23/01
First Name Applicant	HELLER, JAMES			
First Name Applicant	JAMES HELLER			
First Name Applicant	JAMES HELLER			

TITLE OF INVENTION: SIMULTANEOUS GLUCOSE ELECTRODE

APP. NO.	CLASS-SUBCLASS	BATCH NO.	APPL. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
09/0649,211	435 014.000	010	UTILITY	NO	\$1,200.00	01/23/02

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

## HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- Pay FEE DUE shown above, or
- File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Notice of Allowability	Application No.	Applicant(s)	
	09/688,221	HELLER ET AL.	
	Examiner	Art Unit	
	Louise N. Leary	1623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment and Terminal Disclaimer filed 3-23-04.

2. ☒ The allowed claim(s) is/are 31-75.

3. ☐ The drawings filed on \_\_\_\_\_ are acceptable as formal drawings.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 110(a)-(d) or (f).  
 a) ☐ All b) ☐ Some\* c) ☐ None of the:  
     1. ☐ Certified copies of the priority documents have been received  
     2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
     3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* Certified copies not received: \_\_\_\_\_

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(a).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.130(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

7. ☒ Applicant MUST submit NEW FORMAL DRAWINGS  
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-940) attached  
     1) ☐ hereto or 2) ☒ to Paper No. d  
 (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner  
 (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_

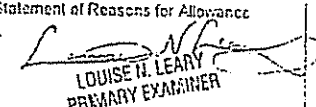
Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

<p>1 <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-940)</p> <p>5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____</p> <p>7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</p>	<p>2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____</p> <p>6 <input type="checkbox"/> Examiner's Amendment/Comment</p> <p>8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</p> <p>9 <input type="checkbox"/> Other</p>
---	---

  
 LOUISE N. LEARY  
 PRIMARY EXAMINER